

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF PUERTO RICO**

WILSON PADILLA-MORALES

Plaintiff

CIVIL NO. 04-2276 (DRD)

v.

THE SHELL COMPANY

(PUERTO RICO) LTD., et al.,

Defendants

OMNIBUS ORDER

MOTION	ORDER
Date Filed: 11/16/04 <u>Docket # 2</u> <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Request for Waiver to File Documents in Spanish	MOOT. See Docket No. 8.
Date Filed: 12/15/04 <u>Docket # 8</u> <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Motion in Compliance with Court Order and Submitting Translated Documents	NOTED.
Date Filed: 12/20/04 <u>Docket # 11</u> <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion in Compliance with Court Order; Motion Requesting Reconsideration; Leave to File Motion for Remand in Excess of Page or Margin Limits	MOOT. See ruling at Docket No.19 denying plaintiff's Motion to Remand.

<p>Date Filed: 04/15/05 <u>Docket # 24</u> <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion to Inform About Order for Inspection</p>	<p>STRICKEN FROM THE RECORD. The Court notes that plaintiff has filed the instant motion claiming Pro Se standing. However, the Court notes that throughout the process plaintiff has been represented by counsel Jorge Perez Casellas who requested the withdrawal as counsel of record and was denied without prejudice because of the critical stage of the proceedings (Docket No. 22). Further, on May 5, 2005 counsel Ariel Hernandez Santana made his appearance as new counsel for plaintiff. Hence the Court deems that plaintiff has always been represented by counsel and has not been in a defenseless state. Moreover, the Court has not granted Pro Se standing to plaintiff to litigate its claim. As the undersigned held on the 8th day of April 2005, the Court deemed that plaintiff is well articulate to argue its claims however, the Court harbors serious doubts that plaintiff, if allowed Pro Se standing, would survive federal procedural litigation. Therefore, Mr. Wilson Padilla Morales is forewarned that motions at this Court shall be filed by his duly admitted legal representative and that any motion filed as Pro Se shall be SUMMARILY DENIED. THE COURT SHALL NOT ENTERTAIN MOTIONS FILED AS PRO SE. Further, should Mr. Padilla Morales insist in filing motions as Pro Se plaintiff, the Court shall impose sanctions upon the plaintiff which may include Contempt of Court. Counsel for plaintiff shall advise Mr. Padilla Morales the potential consequences shall obstinacy prevail.</p>
<p>Date Filed: 04/19/05 <u>Docket # 25</u> <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Informative Motion Regarding Inspection</p>	<p>NOTED. The Court notes that the parties are working on a stipulation regarding the inspection of the facilities. (Allowed since the motion was filed by counsel).</p>
<p>Date Filed: 04/20/05 <u>Docket # 26</u> <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Motion Informing Change of Address</p>	<p>NOTED. The Court notes that counsel Lee Sepulvado Ramos is no longer associated with the firm of McConnell Valdes therefore has changed address.</p>

Date Filed: 04/28/05 Docket # 30 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Informative Motion Regarding Inspection, Request for April 8, 2005 Hearing Transcript, Request for a U.S. Attorney Investigation and Request for Remand to State Court	STRICKEN WITHOUT PREJUDICE. See ruling at Docket No. 24. Counsel may file the instant request if he deems necessary.
Date Filed: 05/05/05 Docket # 31 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion Requesting Leave to Appear	GRANTED. Counsel Ariel Hernandez Santana may appear as counsel of record for plaintiff Wilson Padilla Morales. Further, counsel is granted until June 3, 2005 to familiarize with the instant controversies. Counsel shall be fully prepared by said date to proceed forth with the proceedings. NO FURTHER EXTENSIONS OF TIME SHALL BE GRANTED.
Date Filed: 05/09/05 Docket # 32 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion to Withdraw as Counsel	GRANTED. Counsel Jorge Perez Casellas is WITHDRAWN as counsel of record for plaintiff Wilson Padilla Morales.
Date Filed: 05/26/05 Docket # 35 <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Title: Motion to Inform Regarding Filing of an Emergency Petition for Writ of Mandamus and Other Requests	NOTED. See ruling at Docket No. 24.

Finally, the parties are **ORDERED** to advise to the Court of Appeals for the First Circuit all the rulings provided herein.

IT IS SO ORDERED.

In San Juan, Puerto Rico this 14th day of June, 2005.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE